

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
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US DISTRICT COURT E.D.N.Y.

JAN 15 2020

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JL

KHALID EVAN LOUIS,

BROOKLYN OFFICE

Plaintiff,

MEMORANDUM & ORDER
19-CV-6705 (WFK) (LB)

v.

SUPREME COURT STATE OF NEW YORK
COUNTY OF QUEENS, *et al.*,

Defendants.

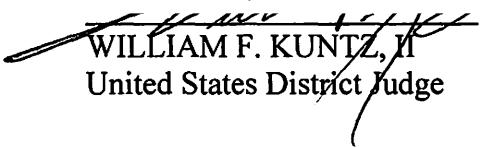
WILLIAM F. KUNTZ, II, United States District Judge:

On November 19, 2019, Plaintiff filed the instant *pro se* action. By letter dated December 2, 2019, the Court informed Plaintiff that his submission was deficient as he failed to pay the filing fee or submit an application for *informa pauperis* relief. Plaintiff was provided with the *informa pauperis* form and instructed that, in order to proceed, he was required to cure the deficiency within 14 days. On December 10, 2019, Plaintiff returned the form—signed but otherwise blank—with a stamp across all pages citing to *Crandall v. State*, 73 U.S. 35 (1867). (ECF No. 4). However, as every case addressing Plaintiff's argument has held, *Crandall* has nothing to do with the statutory requirement in 28 U.S.C. § 1914 that a plaintiff must pay a filing fee or be excused by reason of *informa pauperis* status under 28 U.S.C. § 1915. *See, e.g., Gaul v. Chrysler Fin. Servs. Ams., LLC.*, 15-1337, 657 F. App'x 16, 19 (2d Cir. July 1, 2016); *Eric v. Kansas*, 19-CV-4083, 2019 WL 5787950, at *1 (D. Kan. Nov. 6, 2019); *Neighbors v. Smith*, 17-CV-4028, 2017 WL 1951000, at *2 (D. Kan. May 11, 2017); *Walker v. Village Court*, 17-CV-390, 2017 WL 4220415, at *1 (N.D.N.Y. Aug. 4, 2017) (Peebles, Mag. J.); *Marrakush Society v. New Jersey State Police*, 09-2518, 2009 WL 2366132, at *36 (D.N.J. July 30, 2009).

Accordingly, the action is dismissed without prejudice. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 444–45 (1962). The Clerk of Court is respectfully requested to mail this order to the address of record and close this case.

SO ORDERED.

s/WFK


WILLIAM F. KUNTZ, Jr.
United States District Judge

Dated: January 14, 2020
Brooklyn, New York